

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE R.BASANT

MONDAY, THE 19TH NOVEMBER 2007 / 28TH KARTHIKA 1929

Bail Appl..No. 6962 of 2007()

CRIME NO.209/07 OF NADAKKAVU POLICE STATION
.....

: PETITIONERS/ACCUSED NO.3

M.T.SREEDHARAN,S/O.KANNAN
AGED 52 YEARS, MEETHALE THAYYIL VEEDU
KEEZHOOR P.O., MELADI P.O., KOZHIKODE.

BY ADV. SRI.JACOB SEBASTIAN

RESPONDENTS: COUNTER PETITIONER

STATE OF KERALA, REPRESENTED BY
PUBLIC PROSECUTOR, HIGH COURT OF KERALA
ERNAKULAM REPRESENTING S.I. OF POLICE
NADAKKAVU.

BY P.P. SRI. S.U. NAZAR.

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION
ON 19/11/2007, THE COURT ON THE SAME DAY PASSED THE
FOLLOWING:

R. BASANT, J.

B.A. NO. 6962 of 2007

Dated this the 19th day of November, 2007

ORDER

Application for regular bail. The petitioner is the 3rd accused. He faces allegations under Sec.392 read with Sec.34 of the IPC. Altogether, there are three accused persons. Accused 1 and 2 allegedly snatched a gold chain from the de facto complainant. That incident took place on 21/6/07. The petitioner allegedly disposed of the said gold ornament. The petitioner was arrested on 2/8/07. He continues in custody from that date. The petitioner had filed this application before this Court on 7/11/07. He was therefore entitled to claim his indefeasible right to grant of default bail by default on that day. It is submitted that subsequently final report has been filed on 12/11/07.

2. The learned counsel for the petitioner prays, the learned Public Prosecutor does not oppose the said prayer and I am satisfied, in the facts and circumstances of this case, that

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the petitioner can now be enlarged on bail subject to appropriate terms and conditions.

3. In the result:

(a) The application is allowed.

(b) The petitioner shall be released on bail on the following terms and conditions:

(i) The petitioner shall execute a bond for Rs.1,00,000/- (Rupees one lakh only) with two solvent sureties each for the like sum to the satisfaction of the learned Magistrate.

(ii) The petitioner shall report before the S.H.O. of the Nadakkavu Police Station on the first Sundays of all English calendar months between 5 p.m. and 6 p.m. until the case against him is disposed of.

(R. BASANT, JUDGE)

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